

FILED

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

**FEB 17 2010
SECRETARY, BOARD OF
OIL, GAS & MINING**

IN THE MATTER OF THE REQUEST FOR :
AGENCY ACTION OF ENERPLUS :
RESOURCES (USA) CORPORATION FOR AN :
ORDER TO FORCE POOL THE INTERESTS OF :
ALL OWNERS REFUSING OR FAILING TO :
AGREE TO LEASE THEIR INTEREST OR :
OTHERWISE BEAR THEIR PROPORTIONATE :
SHARE OF THE COSTS OF DRILLING AND :
PRODUCTION OPERATIONS OF THE LIVSEY :
25-15 WELL DRILLED IN SECTION 25, :
TOWNSHIP 2 SOUTH, RANGE 1 WEST, :
USM, UTAH COUNTY, UTAH. :

**ORDER GRANTING
ENERPLUS RESOURCES
(USA) CORPORATION'S
EX PARTE MOTION TO
SERVE NOTICE BY
CERTIFIED MAIL AND
PUBLICATION**

Docket No. 2010-013

Cause No.131-128

The Board of Oil, Gas and Mining (the "Board") having fully considered Enerplus Resources (USA) Corporation's Ex Parte Motion to Serve Notice by Certified Mail and Publication ("Petitioner's Motion") and the grounds and reasons provided therefore, and good cause appearing, hereby enters its Order Granting Petitioner's Motion as follows:

1. Based on Petitioner's Motion and the Affidavit of Jeff Schroeder submitted herewith, the Board finds that Petitioner has complied with the requirements of Rule 4(d)(2) and (4) of the Utah Rules of Civil Procedure and Rules R641-104-135 and R641-106-200 of the Utah Administrative Code regarding service of process on persons by certified mail and by publication on persons whose whereabouts cannot be ascertained through reasonable diligence. Therefore, service of the Request for Agency Action in this cause shall be made as follows:

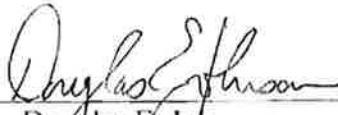
(a) As to the persons set forth on Exhibit “A” attached hereto, being those mineral interest owners for whom Petitioner has located addresses, service shall be made by certified mail, return receipt requested,

(b) As to those persons set forth on Exhibit “B” for whom Petitioner has been unable to locate addresses, as well as those on Exhibit “A” who are determined to no longer reside at the address listed, and all other persons claiming any right, title or interest in or to the oil and gas produced from the reservoirs beneath the real property described in Petitioner’s Request for Agency Action, or to the right to drill into, produce from, or appropriate such oil and gas, service shall be made by publication of the Notice of Hearing, once a week for three consecutive weeks, in a newspaper of general circulation in Salt Lake City and County, and in newspapers of general circulation published in Uintah and Duchesne Counties, Utah, the county wherein the subject real property is located and is hereby designated as most likely to give notice to the above referenced persons. The published notice shall, to the extent practicable, include the names of such persons and shall otherwise conform, as appropriate, with the requirements of Rule R641-106-100.

2. Service by publication is deemed complete on the date of final publication.
4. Service by certified mail is deemed complete on the date of receipt.
5. For all purposes, the Chairman’s signature on a faxed copy of this Order shall be deemed the equivalent of a signed original.

ISSUED this 17 day of February, 2010.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING

By: 
Douglas E. Johnson
Chairman

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing ORDER GRANTING ENERPLUS RESOURCES (USA) CORPORATION'S EX PARTE MOTION TO SERVE NOTICE BY CERTIFIED MAIL AND PUBLICATION for Docket No. 2010-013, Cause No. 131-128 to be mailed with postage prepaid, this 3rd day of March, 2010, to the following:

A. John Davis
Mark L. Burghardt
Holme Roberts & Owen
Attorneys for Petitioner
299 South Main Street
Salt Lake City, UT 84111

Michael S. Johnson
Megan DePaulis
Assistant Attorneys General
Utah Board of Oil, Gas & Mining
1594 West North Temple, Suite 300
Salt Lake City, UT84116
[Via Email]

Steven F. Alder
Fred Donaldson
Assistant Attorneys General
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 300
Salt Lake City, UT84116
[Via Email]

Evergreen HBP, L.P.
4605 Post Oak Place, #100
Houston, TX 77027

Hao Li
21415 Grand Hollow Lane
Katy, TX 77450

Focus Energy LLC
730 17th Street, Suite 610
Denver, CO 80202

Lloyd L. Rasmussen
Route 2, Box 2389
Roosevelt, UT 84066

Paul G. Hendershott
2724 Ferndale Street
Houston, TX 77098

Joseph Dale Rasmussen
Route 2, Box 2389
Roosevelt, UT 84066

Gary L. Kornegay
P.O. Box841286
Houston, TX 77084

Diane C. Peterson
1365 Ambassador Way
Salt Lake City, Utah 84108

University of Utah
1950 Circle of Hope Dr,
Salt Lake City, UT 84112

Jess Cheney
7923 Danish Ridge Way
Salt Lake City, UT84121-5722

H & R Rasmussen Family Trust Dtd
10/10/08
c/o Heber M. and Ruth H. Rasmussen
Route 2, Box 3857
Roosevelt, UT 84066

Norman O. Rasmussen
1868 North Laurel Avenue
Upland, CA 91784

Ardith B. Allred
Route 2 Box 2667
Roosevelt, UT84066

Adrienne Larson
P.O. Box 30007
Salt Lake City, UT 84130

Anita Ashby
1 Northridge Way
Sandy, UT 84092

William Nicholson, CPA, as Successor
Trustee of the Brigham Krause and Vera L.
Krause Heirs Trust
300 East 4500 South
Murray, UT 84107

Brenda Pierson
3365 S. Fairway
Springfield, MO65804

Jay M. Hall, Bruce B. Hall, Glade G. Hall
and Edwin C. Hall, Trustees of the Thomas
Edwin Hall Testamentary Trust
965 West Pinnocchio Drive
Salt Lake City, UT 84116

Diane Lynn Wilson
P.O Box 624
Huntington, UT 84528

Marvil Investments, LLC
2816 Edward Way
Sandy, UT 84093

Eliason Eight, LLC
4349 S Lynne Lane
Holladay, UT 84124

Head Properties, LLC
2415 Neffs Lane
Salt Lake City, UT 84109

J.R. Allred, Trustee of the J.R. Allred
Revocable Trust dated December 28, 1993
P.O. Box 101
Hyde Park, UT 84318

Covey Minerals, Inc., A Utah Corporation
2079 Sierra Ridge Court
Salt Lake City, UT 84109

Floyd L. Massey
P.O. Box 93
Jensen, UT 84435

David J. Callister and Jennifer Callister,
Trustee of the David and Jennifer Callister
Family Trust
2415 Neffs Lane
Salt Lake City, UT 84109

Valda J. Massey
P.O. Box 93
Jensen, UT 84435

Glen E. Allred and Helen H. Allred
2727 South 50 West
Bountiful, UT 84010

Illela McKinlay
P.O. Box 39
Teton City, ID 83451

Lola Tamson Carroll and Howard Rex
Carroll, Trustees of the Lola Tamson Carroll
Trust
1030 S 450 W
Vernal, UT 84078

George O. Massey, Jr
739 North Main St
Sevierville, UT 84463

Paul L. McCullis
P.O. Box 3248
Littleton, CO 80161-3248

George G. Vaught, Jr.
P.O. Box 13557
Denver, CO 84201-3557

Julian A. Massey, Jr.
1749 North 1544 West
Vernal, UT 84078

Howard Rex Carroll and Lola Tamson
Carroll, Trustees of the Howard Rex Carroll
Trust
1030 S 450 W
Vernal, UT 84078

Darlene Allred Johnson
P.O. Box 136
Ranchester, WY 82839

Jacqueline Peters
2638144th Ave NE
Kent, WA 99942

Ralph Olson
337 Birchwood Drive
Orem, UT 84057

Daniel S. Sam and Penny B. Sam, joint
tenants
319 W 109 S, Ste. A
Vernal, UT 84073

Emma Jean Murray
218 West Rangely Avenue
Rangely, CO 81648

Carol T. Huntzinger
396 West 700 North
Lindon, UT 84042

James (Jim) McNaughton
2354 Galaxy Way
Lake Orion, MI 48360

Carol T. and Ronald Huntzinger
396 West 700 North
Lindon, UT 84042

James D. Harmston, as Personal
Representative of the Estate of James
Harmston, deceased
96 East 300 South
Manti, UT 84642

Sharan E. Bleyl aka Sharann E. Bleyl
7624 North 34th Drive
Phoenix, AZ 85021

Nolan G. Massey, dealing in his sole and
separate property
1398 West 400 South
Vernal, UT 84078

Linda Pierson
564 Juniper Street
LaVerne, CA 91750-5721

Michael F.D. Massey, also known as
Michael Ferrel Dunn Massey
162 North 130 East
Orem, UT 84057

Nancy K. Miller
2926 Banberry
Salt Lake City, UT 84121

Larraine Nelson fka Larraine Margaret
Massey
2036 West 1600 North
Provo, UT 84501

Lanore Whiting fka Lanore Kathleen
Massey
1787 South 40 West
Orem, UT 84058

Sherwin Massey aka Sherwin Basil Massey
953 South 930 West
Payson, UT 84651

M. Leon Hunsaker and Barbara L. Hunsaker
500 Foxridge Drive
Providence, UT 84332

Adrian Massey aka Adrian Byran Massey
1131 South 730 West
Payson, UT 84651

Dee Sessions and Gene A. Sessions,
Trustees of the Irrevocable Trust of Lola A.
Sessions
1327 29th Street
Ogden, UT 84403

Loretta Oborn fka Loretta Elizabeth Massey
212 Baldwin Ave
Roseville, CA 95678

Zola M. Allred, life tenant, with Earl V.
Allred, Deanna A. Miller and Shirley A.
Rowley, remaindermen
Route 2, Box 2726
Roosevelt, Utah 84066

Aaron D. Rasmussen
2358 East 1000 South
Ballard, UT 84066

Devon Energy Production Company, L.P.
C/O Charles Speer
20 N. Broadway
Oklahoma City, OK 73102

Max D. Rasmussen
Rt. 1, Box 3857
Roosevelt, UT 84066

Croff Oil Company
C/O Brett Jensen
3773 Cherry Creek Drive North
Suite 1025
Denver, CO 80209

Mark A. Chapman
C/O Bill Wilson
P.O. Box 1389
Sealy, TX 79109

El Paso E&P Company, L.P.
C/O Ryan Waller
1099 18th Street, Suite 1900
Denver, CO 80202

Slover Minerals, L.P.
C/O Ronald E. Slover
3614 Royal Road
Amarillo, TX 79109

Dusty Sanderson
7802 Bennington Dr.
Amarillo, TX 79119

C.D. LaSusa
P.O. Box 1808
Corsicana, TX 75151

Otter Creek, LLC
C/O William Wilson
P.O. Box 1557
Sealy, TX 77474

